

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

STEVEN BENEZRA and MELISSA YORK,	)	
individually,	)	
Plaintiffs,	)	
v.	)	
	)	
ZACKS INVESTMENT RESEARCH, INC.,	)	Case No.1:11-CV-00596
ZACKS INVESTMENT MANAGEMENT, INC.,	)	
LEONARD HARVEY ZACKS, BENJAMIN	)	
LAIB ZACKS, and MITCHEL ETHAN ZACKS	)	
inclusive, individually,	)	
	)	
Defendants.	)	

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**JOINT STIPULATION OF DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, that this action shall be dismissed with prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, each party to bear its own costs and fees.

Respectfully submitted: May 2, 2013

FOR THE PLAINTIFFS:

By: /s/ Paul A. deMontesquiou

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FOR THE DEFENDANTS:

BY: /s/ David N. Jonson

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THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CERTIFICATE OF SERVICE

JOINT STIPULATION OF DISMISSAL

The undersigned attorney for the plaintiffs hereby certifies that on this date he served a copy of the foregoing document upon the defendants herein by serving a copy of same on the defendants' attorney of record by depositing a copy in the United States mail, postage prepaid and addressed as follows:

David N. Jonson  
Wyrick Robbins Yates & Ponton LLP  
4101 Lake Boone Trail  
Suite 300  
Raleigh NC 27607

Additionally;

The undersigned attorney for the plaintiffs hereby certifies that on this date he served a copy of the foregoing document upon the defendants herein by serving a copy of same on the defendants' attorney of record by electronic notification within the Electronic Case Filing System of the United States District Court Middle District of North Carolina as follows:

David N. Jonson  
Wyrick Robbins Yates & Ponton LLP  
djonson@wyrick.com

This the 3<sup>rd</sup> day of May, 2013.

By: /s/ Paul A. deMontesquiou

PAUL A. DEMONTESQUIOU, Esq.,  
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